

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

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TITLE OF CASE	ATTORNEYS
THE UNITED STATES <i>vs.</i> Claude LaVern Engle	<i>For U. S.:</i> Hubert H. Bryant <i>For Defendant:</i> Frank Leslie (Ct. Apptd.) Mayo Building Tulsa, Oklahoma 74103

CLOSED

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 4-30-69	Clerk					
J.S. 3 mailed 6-30-69	Marshal					
Violation Dyer Act	Docket fee					
Title 18						
Sec. 2312						

DATE	PROCEEDINGS
4-2-69	Record vote of the Grand Jury, filed in open Court. b
4-2-69	Indictment, filed in open Court. b
4-22-69	Defendant present in person and represented. Defendant arraigned, receives copy of Indictment, waives reading and enters pleas of NOT GUILTY as to Cts. 1,2,3 and 4 and case to be set on next jury term. Defendant granted 15 days in which to file all motions and 20 days for government to respond. (Allen E. Barrow-Judge)h
6-13-69	Case set for Jury Trial before Judge Daugherty on Tuesday, 6-24-69 at 9:30 A M. (AEB-J)h
6-18-69	Application of defendant for an order for the issuance and service of process, filed. m
6-18-69	Order filed directing the issuance and service of subpoenas for witnesses for the defendant. (Fred Daugherty - Judge) b
6-25-69	Case tried to a jury on June 24 and 25, 1969, jury returns verdicts of GUILTY as to each of Counts 1, 2, 3 and 4. Defendant adjudged GUILTY as to each of Counts 1, 2, 3 and 4.
	(OVER)

DATE	PROCEEDINGS
	<p>Judgment and Sentence - Claude LaVern Engle</p> <p>Count One - Five (5) Years</p> <p>Count Two - Five (5) Years</p> <p>Count Three- Five (5) Years</p> <p>Count Four - Five (5) Years</p> <p>Ordered by the Court that the sentence imposed in Count Two shall begin at the expiration and run consecutively to the sentence imposed in Count One; that the sentences imposed in Counts Three and Four shall run concurrently with the sentence imposed in Count One.</p>
6-25-69	<p>(Fred Daugherty - Judge) (LC-CSR) b</p> <p>Judgment and Commitment as to the defendant, filed and entered. (Fred Daugherty -, Judge) b (LC-CSR) b</p>
6-25-69	Two c. c. of J & C delivered to the U. S. Marshal. b
6-25-69	Verdicts as to Counts 1, 2, 3 and 4, filed in open Court. b
6-25-69	Trial exhibits filed in open Court. b
6-26-69	Returns on subpoenas to testify, filed. Served Glenda LaVern, Robert Smith, Jimmy Fate Brainerd, Lillie Mae Profitt, Howard Wayne Mangelis, Bill Foulk, Frank Miller, Hack Perrin, Dr. Charles M. Kouri, James Albert Loftis, John Wesley Froman, Marvin Lee Cooper, Walter Aycock, and R. W. Schafer. Unserved as to Mrs. Claude LaVern. ds \$135.40
7-2-69	Notice of appeal, filed. copy to USCA, U.S. Atty. & defendant. g
7-2-69	Motion for permission to appeal in forma pauperis, filed. g
7-2-69	Affidavit to accompany motion for leave to appeal in forma pauperis, filed, with order of Court approving. (FD-J)g
7-3-69	Return on 5 subpoenas to testify, filed. Served Elmer Dean Fry, Sam Smith, Frank Thurman, Roy Carver, Jim Stone and Claude Stone, Jim Brainard, and Dr. Charles M. Kouri. (Fees: \$34.08)m
7-10-69	Order granting leave to prosecute appeal in forma pauperis, and ordering transcript, filed. (FD-J)g
8-8-69	CC copy of J & C returned, filed - defendant delivered to Tulsa County Jail on 6-25-69 and then on July 27, 1969 to the U. S. Penitentiary at Leavenworth, Kansas.
8-11-69	Order extending time to docket appeal to and including Sept. 8, 1969. (Fred Daugherty, Judge)g cc to USCA & F. Leslie.
9-8-69	Order extending time to docket appeal to and including Sept. 30, 1969. (Fred Daugherty, Judge)g cc to USCA & F. Leslie.
9-15-69	Transcript of trial proceedings, 6-24-69, filed. (Orig. + 2 copies) Lee Cook, Court Reporter. g
9-25-69	Appeal record forwarded to USCA, Denver. (2 vols.)g
9-26-69	Letter dated 9-15-69 from deft. to Judge Daugherty requesting modification of sentence, filed. m
9-18-70	Mandate of USCA, 10th Circuit, affirming judgment of 6-25-69, filed and spread of record. g
9-18-70	Opinion of USCA, 10th Circuit, filed. g
9-23-70	Letter from defendant, file d - requesting modification of sentence. b
9-23-70	Copy of Judge Daugherty's letter denying defendant's request for modification of sentence. b

UNITED STATES COMMISSIONER
NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Charles F. Burns Miami, Oklahoma,
(Name of commissioner) (Address)

COMMISSIONER'S
DOCKET No. 1 CASE No. 341
THE UNITED STATES
vs.

Claude L. La Vern

Complaint filed on 1-15-69, 19____, by John F. Chenoweth, Jr.
Official title Special Agent, FBI, charging violation of
United States Code, Title 18, Section 2312, on 8-1-68
19____, at Chelsea, Okla in the Miami
division of the Northern district of Oklahoma
as follows: transport in interstate commerce from
Coffeyville, Kansas, to Chelsea, Oklahoma, a 1965
John Deere gasoline tractor, Model 3020, Motor No.
11F077800, he then knowing same to have been stolen.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date 1-15-69 Warrant/Summons for Claude L. La Vern
(Name of defendant)

to (name and title of officer) U S Marshal
Substance of return Not returned.

Date _____ Warrant/Summons for _____
(Name of defendant)

to (name and title of officer) _____
Substance of return _____

FILED
IN OPEN COURT
JAN 16 1969
M. M. EWING
CLERK, U. S. DISTRICT COURT

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date 1-15-69 Arrested by _____
on warrant of Charles F. Burns
U S Commr. (Name of issuing officer)
without warrant.

Appearances { for United States None (Name) (Address)
for accused None (Name) (Address)

Proceedings taken Complaint and warrant issued. Warrant forwarded to U S Marshal
(Here insert with dates, when appropriate, a serialim account of essential steps taken at hearing such as "complaint prepared,"

at Tulsa, Oklahoma. Deft not in custody and whereabouts not known.

If arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

If that is the fact; any adjournments taken, etc.

Outcome

Bail fixed _____, 19____ Amount, \$____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____ [or] by surety
(name) _____ Address _____
(name) _____ Address _____, who
justified by affidavit dated _____, 19____, [or] committed to _____
on _____, 19____

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

United States

(Name) _____

(Address) _____

Accused

(Name) _____

(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 16 day of January, 19 69

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma

January 16, 19 69

Charles F. Lewis

United States Commissioner.